

AGENDA - COUNCIL MEETING - TUESDAY - APRIL 22, 2008 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS - 2008-0266 to 2008-0283
ORDINANCES - 2008-0337 to 2008-0360
RESOLUTION – None

2008-0265-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Noriega

1:30 P. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

2:00 P. M. - PUBLIC SPEAKERS - Pursuant to City Council Rule 8, City Council will hear from members of the public; the names and subject matters of persons who had requested to speak at the time of posting of this Agenda are attached; the names and subject matters of persons who subsequently request to speak may be obtained in the City Secretary's Office

Motion 2008-0266 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - APRIL 23, 2008 - 9:00 A. M.

DESCRIPTIONS OR CAPTIONS OF AGENDA ITEMS WILL BE READ BY THE
CITY SECRETARY PRIOR TO COMMENCEMENT

HEARING - 9:00 A.M.

1. Motion 2008-0267 – Close hearing

PUBLIC HEARING relative to proposed amendments to the Project and Financing Plan for Tax Increment **REINVESTMENT ZONE NUMBER TEN (LAKE HOUSTON ZONE)**
DISTRICT E - SULLIVAN

a. Ordinance 2008-0337

ORDINANCE approving Second Amendment of the Project Plan and Reinvestment Zone Financing Plan for **REINVESTMENT ZONE NUMBER TEN**, City of Houston, Texas (**LAKE HOUSTON ZONE**); authorizing the City Secretary to distribute such plans - **DISTRICT E - SULLIVAN**

b. Ordinance 2008-0338

ORDINANCE approving and authorizing Third Amendment to Public Improvement Development Agreement between the City of Houston, Texas, **REINVESTMENT ZONE NUMBER TEN**, City of Houston, Texas (**LAKE HOUSTON ZONE**), and **FRIENDSWOOD DEVELOPMENT COMPANY, LTD.** for the Design, Construction and Acquisition of certain public improvements and for certain other project costs in the Lake Houston Zone - **DISTRICT E - SULLIVAN**

HEARING - 9:00 A.M. - continued

c. Ordinance 2008-0339

ORDINANCE relating to the Fiscal Affairs of **REINVESTMENT ZONE NUMBER TEN**, City of Houston, Texas (**LAKE HOUSTON ZONE**); approving the Fiscal Year 2009 Operating Budget and the Fiscal Year 2009-2013 Capital Improvement Budget for the Zone - **DISTRICT E - SULLIVAN**

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 38

MISCELLANEOUS - NUMBERS 2 through 4

2. Motion 2008-0268

MOTION to approve request to reallocate Texas Transportation Commission funds for access management improvements along the State Highway 6 Corridor from FM 521 in Arcola, Texas to Interstate Highway 10 in Houston

3. Motion 2008-0269

RECOMMENDATION from Director General Services Department to allocate additional funds in the amount of \$55,500.00 to Professional Architectural Services Contract with **PIERCE GOODWIN ALEXANDER & LINVILLE, INC** for New Fire Station 24, WBS C-000051-0001-3 CDBG Fund - **DISTRICT D - ADAMS**

4. Council Member Holm tagged

RECOMMENDATION from Director Department of Public Works & Engineering for payment of funds for traffic signal operations and maintenance on the Metro Light Rail Traffic Signal System pursuant to the Operations and Maintenance Agreement between the City of Houston and **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS** - \$200,986.80 General Fund

ACCEPT WORK - NUMBERS 5 through 9

5. Motion 2008-0270

RECOMMENDATION from Director Department of General Services for approval of final contract amount of \$176,681.00 and acceptance of work on contract with **ALL PLAY, INC** for Cliff Tuttle Skate Park, WBS F-000636-0001-4 - 4.96% over the original contract amount - **DISTRICT H - GARCIA**

6. Motion 2008-0271

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,713,941.03 and acceptance of work on contract with **DURWOOD GREENE CONSTRUCTION, L.P.** for Generic City Wide Overlay Package #8, (Work Order Contract) WBS N-001037-0048-4 - 2.25% over the original contract amount **DISTRICTS B - JOHNSON; D - ADAMS; G - HOLM; H - GARCIA and I - RODRIGUEZ**

7. Motion 2008-0278

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,770,266.82 and acceptance of work on contract with **DURWOOD GREENE CONSTRUCTION, L.P.** for Generic City Wide Overlay Package #9, (Work Order Contract) WBS N-001037-0049-4 - 3.80% over the original contract amount **DISTRICTS A - LAWRENCE; B - JOHNSON; D - ADAMS; E - SULLIVAN; H - GARCIA and I - RODRIGUEZ**

ACCEPT WORK - continued

8. Motion 2008-0272

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,809,061.10 and acceptance of work on contract with **UNDERGROUND TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, WBS R-000266-00S8-4 - 0.13% over the original contract amount **DISTRICTS A - LAWRENCE; B - JOHNSON; C - CLUTTERBUCK; E - SULLIVAN; F - KHAN; G - HOLM; H - GARCIA and I - RODRIGUEZ**

9. Motion 2008-0273

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,174,284.13 and acceptance of work on contract with **R. K. WHEATON, INC** for Water Line Replacement in the Houston Heights Subdivision, WBS S-000035-0094-4 - 8.09% under the original contract amount - **DISTRICT H - GARCIA**

PURCHASING AND TABULATION OF BIDS - NUMBERS 10 through 15

10. Motion 2008-0274

LION APPAREL for Uniforms and Accessories from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for Houston Airport System - \$123,400.00 - Enterprise Fund

11. Motion 2008-0275

NWN CORPORATION for Network Equipment through the City's Master Agreement with the Texas Department of Information Resources (DIR) for Houston Airport System - \$124,084.00 Enterprise Fund

12. Motion 2008-0276

TEXAS LIQUA TECH SERVICES, INC for Expansion Joint Replacement at the George R. Brown Convention Center Third Level Ramp for the Convention & Entertainment Facilities Department \$169,190.00 and contingencies for a total amount not to exceed \$177,649.50 - Enterprise Fund

Motion 2008-0279 – Suspend rules to hear Mr. Joe Fenniger relative to Item 13

13. Council Members Holm and Clutterbuck tagged

ORDINANCE appropriating \$1,484,013.00 out of Equipment Acquisition Consolidated Fund for purchase of 2-Passenger Helicopters for the Police Department

a. Council Members Holm and Clutterbuck tagged

AIR-FLITE, INC for 2-Passenger Helicopters for Police Department

14. Council Members Holm and Clutterbuck tagged

ORDINANCE appropriating \$15,192,816.00 out of Equipment Acquisition Consolidated Fund for purchase of 4-Passenger Helicopters for the Police Department

a. Council Members Holm and Clutterbuck tagged

MD HELICOPTERS, INC for 4-Passenger Helicopters for Police Department

15. Motion 2008-0277

GTSI CORP for Software Implementation and Installation Services through the City's Intergovernmental Agreement with the County of Fairfax for the Houston Emergency Center and Houston Fire Department - \$200,559.95 - Houston Emergency Center Fund

ORDINANCES - NUMBERS 16 through 38

16. Ordinance 2008-0340

ORDINANCE consenting to the addition of 37.69 acres of land to **GREENS PARKWAY MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

17. Ordinance 2008-0341

ORDINANCE approving and authorizing Purchase Agreement and Development Agreement between City of Houston, Seller, and **UNITY CHURCH OF CHRISTIANITY, a Texas Non-profit corporation, Purchaser**, for certain real property located at 6342 Fairdale, Houston, Texas, Parcel SY6-032, in consideration of purchaser's developing the property for public use and paying \$5,542,500.00 to the City - **DISTRICT C - CLUTTERBUCK**

18. Ordinance 2008-0342

ORDINANCE relating to the Fiscal Affairs of the **UPTOWN DEVELOPMENT AUTHORITY** on behalf of **REINVESTMENT ZONE NUMBER SIXTEEN**, City of Houston, Texas (**UPTOWN ZONE**); approving the Fiscal Year 2009 Operating Budget for the Authority and the Fiscal Year 2009-2013 Capital Improvement Budget for the Zone - **DISTRICTS C - CLUTTERBUCK and G - HOLM**

19. Ordinance 2008-0343

ORDINANCE approving and authorizing Fourth Amendment to Lease and Development Agreement between the City of Houston and **BAYOU PLACE LIMITED PARTNERSHIP**, as assignee from 500 Texas Avenue Limited Partnership, related to the Bayou Place Complex

20. Ordinance 2008-0344

ORDINANCE approving and authorizing First Amendment to contract between the City of Houston and **BAYLOR COLLEGE OF MEDICINE** for Professional Staffing Services for Houston Fire Department Base Station

21. Ordinance 2008-0345

ORDINANCE awarding contract between the City of Houston and **QUESTMARK INFORMATION MANAGEMENT, INC** for Jury Noticing and Tracking Services for Municipal Courts Judicial Department; providing a maximum contract amount - 3 Years with two one-year options \$450,060.00 - General Fund

22. Ordinance 2008-0346

ORDINANCE awarding contract to **BFI WASTE SERVICES OF TEXAS LP dba ALLIED WASTE SERVICES GROUP** for Solid Waste Disposal and Equipment Services for the Houston Airport System; providing maximum contract amount - 3 years with two-one year options \$4,070,083.22 - Enterprise Fund

23. Ordinance 2008-0347

ORDINANCE awarding contract to **HOWSE BROTHERS SANITATION SERVICES, INC dba UNITED SITE SERVICES** for Portable Toilet Leasing Services for Various Departments; providing maximum contract amount - 3 years with two-one year options - \$1,842,250.00 - General, Enterprise, Stormwater and Special Revenue Funds

24. Ordinance 2008-0348

ORDINANCE appropriating \$41,679.00 out of Fire Consolidated Construction Fund for Purchase of Capital Equipment for General Services Department for the Fire Department's Fire Station No. 62, WBS C-0000EQ-0003-5-01 - **DISTRICT A - LAWRENCE**

25. Omitted

ORDINANCES - continued

26. Ordinance 2008-0349

ORDINANCE appropriating \$770,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **SHRADER ENGINEERING COMPANY** for Scada and Wireless Communication Improvements at Various Wastewater Treatment Plant Facilities, WBS R-000512-0013-3; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

27. Council Member Lawrence tagged

ORDINANCE appropriating \$430,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **CARTER & BURGESS, INC** for Design of Water Lines and Brick Street Preservation and Restoration in the Freedman's Town Area, WBS S-000455-0001-3 and N-001315-0001-3; providing funding for contingencies relating to construction of facilities financed by Street & Bridge Consolidated Construction Fund - **DISTRICT I - RODRIGUEZ**

28. Motion 2008-0280 – Postpone two (2) weeks

ORDINANCE appropriating \$689,912.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **DEYAR BUILDERS, INC** for Safe Sidewalk Program F2, WBS N-00610A-00F2-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT E - SULLIVAN**

29. Ordinance 2008-0350

ORDINANCE appropriating \$150,000.00 out of Water & Sewer Contributed Capital Fund; and \$1,678,700.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Sandalwood Area, WBS S-000035-00D3-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer Contributed Capital Fund and Water & Sewer System Consolidated Construction Fund **DISTRICT G - HOLM**

30. Ordinance 2008-0351

ORDINANCE appropriating \$2,125,000.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **BLASTCO TEXAS, INC** for Rehabilitation of Ground Storage Tanks, WBS S-000600-00B6-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS C - CLUTTERBUCK and D - ADAMS**

31. Ordinance 2008-0352

ORDINANCE appropriating \$1,034,000.00 out of Fire Consolidated Construction Fund, awarding construction contract to **TIMES CONSTRUCTION, INC** for New Fire Station 24, WBS C 000051-0001-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the city; holding the bidder in default if it fails to meet the deadlines; providing funding for materials testing services, construction management, civic art, and contingencies relating to construction of facilities financed by Fire Consolidated Construction Fund and Federal Government-Grant Fund \$1,944,500.00 - CDBG Funds - **DISTRICT D - ADAMS**

ORDINANCES - continued

32. Ordinance 2008-0353

ORDINANCE awarding construction contract to **SEA-BREEZE ROOFING, INC** for Emancipation Park Roof Replacement, WBS F-000635-0001-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for construction management, and contingencies relating to construction of facilities financed out of the Federal Government-Grant Fund - \$204,257.00 - CDBG Funds

33. Ordinance 2008-0354

ORDINANCE appropriating \$35,805,112.69 out of HAS Consolidated 2004 NONAMT Construction Fund, WBS A-000514-0002-4-01 and awarding construction contract to **W. W. WEBBER, LLC** for Rehabilitation of Runway 9-27 at George Bush Intercontinental Airport/Houston, Project No. 423, setting a deadline for W. W. Webber, LLC's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding W. W. Webber, LLC in default if it fails to meet the deadlines; providing funding for engineering testing services, and for contingencies relating to construction of the facilities financed by such fund - **DISTRICT B - JOHNSON**

34. Ordinance 2008-0322 – Passed second reading

ORDINANCE No. 2008-322, passed first reading April 16, 2008

ORDINANCE granting to **ARROW SERVICES 123, INC, a Texas Corporation**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **SECOND READING**

35. Ordinance 2008-0323 – Passed second reading

ORDINANCE No. 2008-323, passed first reading April 16, 2008

ORDINANCE granting to **PERFORMANCE CONTRACTING, INC, a Kansas Corporation**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **SECOND READING**

36. Ordinance 2008-0324 – Passed second reading

ORDINANCE No. 2008-324, passed first reading April 16, 2008

ORDINANCE granting to **MILLENNIUM PROJECT SOLUTIONS, INC, a Texas Corporation**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **SECOND READING**

37. Ordinance 2008-0355 – Passed first reading

ORDINANCE granting to **INLAND ENVIRONMENTS, LTD., a Texas Limited Partnership**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **FIRST READING**

38. Ordinance 2008-0356 – Passed first reading

ORDINANCE granting to **STANZ INTEGRATED CLEANING SOLUTIONS, a Texas Sole Proprietorship**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **FIRST READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 39 and 40

MISCELLANEOUS

39. Motion 2008-0281

SET A PUBLIC HEARING DATE relative to proposed amendments to the Project and Financing Plan for Tax Increment Reinvestment Zone Number Seven (OST/Alameda Zone) **DISTRICTS D - ADAMS and I - RODRIGUEZ**
SUGGESTED HEARING DATE - WEDNESDAY - MAY 7, 2008 - 9:00 A.M.

40. Motion 2008-0282

SET A PUBLIC HEARING DATE relative to proposed amendments to the Project and Financing Plan for Tax Increment Reinvestment Zone Number Eleven (Greater Greenspoint Zone) **DISTRICT B - JOHNSON**
SUGGESTED HEARING DATE - WEDNESDAY - MAY 7, 2008 - 9:00 A.M.

MATTERS HELD - NUMBERS 41 through 44

41. Motion 2008-0283 – Adopt

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,028,219.25 and acceptance of work on contract with **SOUTH COAST CONSTRUCTION, INC** for Reconstruction of West Little York Bridge over Vogel Creek, WBS N-000687-0004-4 - 1.95% under the original contract amount - **DISTRICT A - LAWRENCE**
TAGGED BY COUNCIL MEMBERS RODRIGUEZ, GARCIA, JONES, GREEN and ADAMS
This was Item 4 on Agenda of April 16, 2008

42. Ordinance 2008-0360

ORDINANCE approving and authorizing agreement between the City of Houston and **MEMORIAL ASSISTANCE MINISTRIES, INC** to provide a \$150,000.00 grant of Federal Community Development Block Grant ("CDBG") Funds for costs to construct additional parking at a facility located at 1625 Blalock Road, Houston, Texas, which provides services to low-income persons
TAGGED BY COUNCIL MEMBER GREEN
This was Item 15 on Agenda of April 16, 2008

43. Ordinance 2008-0357

ORDINANCE approving and authorizing a Term Sheet with **CONTINENTAL AIRLINES, INC** for Terminal B Expansion Program at George Bush Intercontinental Airport/Houston - **DISTRICT B - JOHNSON**

a. Ordinance 2008-0358

ORDINANCE providing for Passenger Facility Charges at George Bush Intercontinental Airport/Houston - **DISTRICT B - JOHNSON**
TAGGED BY COUNCIL MEMBER JOHNSON
These were Items 16 and 16A on Agenda of April 16, 2008

MATTERS HELD - continued

44. Ordinance 2008-0359

ORDINANCE amending Ordinance No. 2008-118 relating to the City of Houston's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code, providing certain incentives, designating a liaison for communication with interested parties, and nominating **DELOITTE LLP** to the Office of the Governor Economic Development & Tourism through the Economic Development Bank as an enterprise project **TAGGED BY COUNCIL MEMBERS GREEN and RODRIGUEZ**

This was Item 24 on Agenda of April 16, 2008

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Johnson first

ALL ORDINANCES ARE TO BE CONSIDERED ON AN EMERGENCY BASIS AND TO BE PASSED ON ONE READING UNLESS OTHERWISE NOTED, ARTICLE VII, SECTION 7, CITY CHARTER

NOTE - WHENEVER ANY AGENDA ITEM, WHETHER OR NOT ON THE CONSENT AGENDA, IS NOT READY FOR COUNCIL ACTION AT THE TIME IT IS REACHED ON THE AGENDA, THAT ITEM SHALL BE PLACED AT THE END OF THE AGENDA FOR ACTION BY COUNCIL WHEN ALL OTHER AGENDA ITEMS HAVE BEEN CONSIDERED

CITY COUNCIL RESERVES THE RIGHT TO TAKE UP AGENDA ITEMS OUT OF THE ORDER IN WHICH THEY ARE POSTED IN THIS AGENDA. ALSO, AN ITEM THAT HAS BEEN TAGGED UNDER CITY COUNCIL RULE 4 (HOUSTON CITY CODE §2-2) OR DELAYED TO ANOTHER DAY MAY BE NEVERTHELESS CONSIDERED LATER AT THE SAME CITY COUNCIL MEETING

**4/22/2008 – Mayor White and Council Member Khan out of the City on City business
Council Members Johnson and Green absent
Mayor Pro Tem Garcia presiding**
**4/23/2008 – Mayor White and Council Member Khan out of the City on City business
Mayor Pro Tem Garcia presiding**